

AD-A 208 729

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STUDY PROJECT

THE NATURE OF THE DRUG WAR

BY

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DISTRIBUTION STATEMENT A: Approved for public release; distribution is unlimited.

31 MARCH 1989



U.S. ARMY WAR COLLEGE, CARLISLE BARRACKS, PA 17013-5050

89 6 08 014

Unclassified

SECURITY CLASSIFICATION OF THIS PAGE (When Data Entered)

REPORT DOCUMENTATION PAGE		READ INSTRUCTIONS BEFORE COMPLETING FORM
1. REPORT NUMBER	2. GOVT ACCESSION NO.	3. RECIPIENT'S CATALOG NUMBER
4. TITLE (and Subtitle)		5. TYPE OF REPORT & PERIOD COVERED
The Nature of the Drug War		Individual Study Proj
7. AUTHOR(s)		6. PERFORMING ORG. REPORT NUMBER
LTC Mark O. Brannen		8. CONTRACT OR GRANT NUMBER(s)
9. PERFORMING ORGANIZATION NAME AND ADDRESS		10. PROGRAM ELEMENT, PROJECT, TASK AREA & WORK UNIT NUMBERS
U.S. Army War College Carlisle Barracks, PA 17013-5050		
11. CONTROLLING OFFICE NAME AND ADDRESS		12. REPORT DATE
		31Mar89
		13. NUMBER OF PAGES
		31
14. MONITORING AGENCY NAME & ADDRESS (if different from Controlling Office)		15. SECURITY CLASS. (of this report)
		Unclas
		15a. DECLASSIFICATION/DOWNGRADING SCHEDULE
16. DISTRIBUTION STATEMENT (of this Report)		
DISTRIBUTION STATEMENT A: Approved for public release; distribution is unlimited.		
17. DISTRIBUTION STATEMENT (of the abstract entered in Block 20, if different from Report)		
18. SUPPLEMENTARY NOTES		
19. KEY WORDS (Continue on reverse side if necessary and identify by block number)		
20. ABSTRACT (Continue on reverse side if necessary and identify by block number)		
See reverse		

During the 1988 presidential campaign, both candidates vigorously addressed the "drug problem". Both candidates realized that the American public is becoming increasingly impatient with the incredible drug traffic into the United States and within our borders. They agreed that compulsive drug abuse threatens the social stability of the United States. Indeed, drug use poses a clear threat to United States national security. So inevitably one of many proposed "solutions" to this problem has been the use of our military resources to win "the war on drugs".

The Department of Defense has been charged with the task of formulating a detailed plan for use of United States military resources in the drug war. In strategic terms, this war may best be viewed as a low-intensity conflict. And from the perspective of strategic planning, we must now consider the ways, means, and ends of successfully resolving the conflict. Likewise, we must as well view the conflict comprehensively: How can we eliminate the supply of drugs? But so long as the supply is available, how can we stop the flow of drugs from their source to their users? Most importantly, how can we reduce the demand for drugs?

This study offers an analysis of the drug problem. It specifically focuses on how our military resources can best be employed to resolve the problem without detracting significantly from other, more conventional strategic missions of our armed forces.

USAWC MILITARY STUDIES PROGRAM PAPER

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THE NATURE OF THE DRUG WAR

An Individual Study Project
Intended for Publication
by

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31 March 1989

ABSTRACT

AUTHOR: Mark D. Brannen, LTC, MP

TITLE: The Nature of the Drug War

FORMAT: Individual Study Intended for Publication

DATE: 31 March 1989 PAGES: 29 CLASSIFICATION: Unclassified

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THE NATURE OF THE DRUG WAR

INTRODUCTION

The drug abuse problem plaguing the United States is pervasive and diverse. Every community has felt its impact and no segment of the population is immune to the problem. As we approach the last decade of the twentieth century, the American people have arrived at the sober realization that drug abuse corrupts the moral fiber of society and indiscriminately inflicts suffering and misery upon millions. The social stability of the United States is in fact under attack. The "enemy" is elusive, clever, and resourceful.

Recent outbreaks of violence among gangs competing for the lucrative drug trade and various reports documenting the continuing influx of narcotics into this country have renewed¹ attention on the immensity of the drug problem. In fact, the nature of the threat can best be measured by the estimated 23 million Americans who are regular drug users. They consume 18 tons of marijuana every day and two to three tons of cocaine² every week. The Drug Enforcement Administration (DEA) has reported the average age of first time drug users is 12 and one-half years of age. More than 80 percent of high school students using drugs buy them at school; and drugs play a major role in high school dropouts. This chronic situation poses a devastating threat to the continued well-being of American society.

The unquestionable urgency of the problem demands that the

United States counter-attack now on two fronts--supply and demand. If we are going to make war on drugs, we must first define the "enemy". In one sense, drugs themselves are the enemy. They "attack" users by rendering them helpless, unproductive, unhealthy, and--when their compulsion drives them to illegal activities in order to obtain drugs--menacing. So in another sense, the enemy is the user, who violates laws to obtain drugs and in fact becomes a threat and liability to the society that ideally he would serve and strengthen. Finally, the suppliers of drugs are obviously the enemy as well, for they support the user-enemy's cause--as surely as the Ho Chi Minh Trail enabled the Viet Cong to sustain and intensify the conflict in Vietnam. So the war on drugs must be fought on two fronts: supply and demand.

In reality, even active military intervention will not entirely eliminate the illegal flow of drugs. On the other hand, if drug consumers no longer sought drugs, the suppliers would be out of business. The war would be won.

A recent Gallup Survey indicates public attention is focused on both aspects of the problem and shows support for a
3
multifaceted approach. So we have the national resolve to eliminate the supply of drugs and to dramatically reduce the demand for them.

This study will address a wide range of factors impacting on using the military services to eliminate or reduce drug abuse. The following pages will examine the national will to employ military force to stem drug abuse in the United States.

It will review the legal considerations for using military force to enforce civilian laws. It will as well set forth the current national policy and strategy. Recent drug control legislation will be reviewed. Governmental agencies with historical responsibility for the sovereignty of our national borders will be identified.

We should note at the outset that past approaches to the illegal drug problem have been largely unsuccessful. In fact, existing policies and strategies are in a period of transition as the Bush Administration develops its "battle plan".

BACKGROUND

As we have noted, the problem is one of abundant supply and uncontrollable demand. Tactical interdiction of illegal drugs crossing our national borders aims to reduce supply. But recent efforts have produced only limited success. In fact, interdiction has not significantly reduced the tidal wave of illegal drugs entering the United States. This failure to significantly reduce the influx of drugs is not the result of incompetence or inadequate resources. It reflects the nature of a war that is fraught with complexity. So we have no illusions that tactical interdiction alone will solve the illegal drug problem.

On the other hand, the military itself has achieved overwhelming success by attacking the demand side of the problem. We have witnessed dramatically reduced drug abuse among service members over the past decade through vigorous law

enforcement, education and training. But more importantly, our relatively drug-free armed forces are the end product of widespread drug testing and continuous attention by commanders. So the military has demonstrated how to contain the drug problem through a concerted institutional effort, including command vigilance and allocation of considerable resources.

In society at large, however, we need a broader, more fundamental educational approach. In fact, we have no "command structure" in society, nor do we have the resources or authority to conduct widespread, systematic drug testing.

So drug education in the early elementary grades is essential to a long range and lasting solution. As we have noted, Americans view anti-drug education of young people and efforts to halt foreign supplies as the most effective means of combating the epidemic.⁴ Asked to choose among strategies for attacking the crisis, 47 percent say the key is educating young people, 35 percent emphasize interdiction of drugs, 6 percent stress treatment of drug users, and 13 percent⁵ favor all of these tactics equally.

One of the best known educational approaches is the Drug Abuse Resistance Education (DARE) program. This preventive drug program for fifth and sixth graders is taught by uniformed police officers. The program teaches skills for resisting peer pressure and offers lessons in self-esteem. The military services have successfully employed this approach in the Department of Defense Dependent School System.

So we have at least limited evidence that we can

dramatically reduce drug use in large organizations. Further, we have begun to educate our young people against drug abuse. We are beginning to show them how to say no and why they should say no. But if they were not confronted daily, in all walks of life, with the opportunities to experiment with drugs, they would not have to say no all the time. However, it is surely not so easy to remove the abundant (and incredibly profitable) supply of drugs.

Drug traffic is a global problem. Let's consider the source of three of the most popular drugs in the United States. Marijuana grows throughout the world and enters the United States from Asia, Europe, Africa, and Latin America. Additionally, it grows abundantly within our own national borders. But cocaine is produced from cocoa leaves grown in only four South American countries: Peru, Bolivia, Colombia and Brazil. Cocaine enters the United States primarily through Latin America and Western Europe. According to United States government estimates, cocoa production has doubled since 1982. Heroin is derived from morphine and is delivered to the United States from Asia, Europe and Africa.

One of the more serious current threats to the United States is the Latin American illegal drug connection. If the United States cannot control the illegal drug trade originating from Central and South America, a region close to our national borders, it will not be able to control events elsewhere in the world.

THE NATIONAL WILL

This section seeks to analyze the national will to win a war on drugs. Do we have sufficient national will to successfully employ our military services to assist in bringing the drug crisis under control? A democratic society must always calculate public opposition, because even though public opinion may support a war when it starts, it quickly loses patience if the conflict is not brought to a speedy conclusion.⁶ This may present a significant problem. A successful war on drugs will predictably become an agonizing and protracted effort lasting for many years. So we need a reasonable degree of assurance the military will have the support of the American people to eliminate or reduce drug abuse by active military intervention.⁷

The knowledge, beliefs, attitudes and fundamental values of the American people are obvious determinants of national will. There must be a public perception of a severe external threat to build strong national will. Drug abuse has reached epidemic proportions across the United States. But it is crucial that the American people grasp the basic fact that drug abuse cripples the ability of the United States to continue to lead the free world.

The most vivid recent illustration of the importance of national will, as an element of power, was President Johnson's conscious decision not to mobilize the American people---⁸ to invoke the national will---for the Vietnam War. His former Assistant Secretary of Defense for Public Affairs, Phil

G. Goulding commented, " In my four year tour [July 1965-January 1969] there was not once a significant organized effort by the Executive Branch of the federal government to put across its side of a major policy issue or a major controversy to the American people. Not once was there a public affairs program--⁹ worthy of the name. "

So the federal government must conduct a credible public affairs program aimed at gaining and maintaining broad public support for a domestic war on drugs that will probably last well into the twenty-first century. Maintaining public support for military intervention will be a tough challenge since there is clear evidence the abuse of illegal drugs extends across the entire spectrum of American society. All classes of people abuse drugs: the poor and the uneducated, the educated middle class and the influential executives of corporate America. Therefore, a large segment of the opinion-forming, influential population may be predisposed against an all-out effort to openly use military force to stem the flow of illegal drugs into the United States.

Recall the prohibition against alcohol. There simply was a lack of national will in the early twentieth century to permanently remove alcohol from the American way of life. As a result the law was reversed to more accurately reflect the desires of a majority of the American people. This is a good example of the law being what most of the people want it to be most of the time. However, efforts to legalize drugs have not met with widespread support.

It has been reported that 36 percent of Americans said illegal drugs was the number one 1988 presidential campaign issue.¹⁰ So there is clearly an emerging national will to rid American society of illegal drugs, but it has not reached full maturity. Rather, it is still in the developmental stage. We have the potential for building a strong will, but it needs to be broadly developed by a well organized, hard-hitting public affairs program which will increase public awareness and illustrate the irreparable damage that drug abuse inflicts upon American society. The public conscience must determine how much compulsive drug abuse this country will tolerate. Hopefully, we have a national will strong enough to support a military response to an urgent domestic problem that directly impacts upon national security.

The President has approved National Security Decision Directive 221 which identifies illegal drugs as a major threat to national security. This decision must now be aggressively sold to the American people. The time is right and the mood of the country is agreeably receptive. Recently, the Wall Street Journal reported that 44 percent of the American people in a public opinion survey rated drug trafficking as an extremely serious national security threat facing the country over the next five years. Additionally, the survey indicated a growing willingness to use the military to fight illegal drugs.

THE LEGALITY

The primary constraint on Army and Air Force participation

in civilian law enforcement activities is Section 1385, Title 18 United States Code, better known as the Posse Comitatus Act. It states that "Whoever, except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army or the Air Force as a posse comitatus or otherwise to execute the laws shall be fined not more than \$10,000 or imprisoned not more¹¹ than two years or both. "

The Act, originally passed in June 1878, was designed to curtail the excessive use of the Army in the southern states to¹² enforce reconstruction laws. One-hundred and three years later, with the illegal drug problem firmly in mind, the 1981 Congress took the first step ever to loosen constraints on using the Army and Air Force to enforce civilian law. Public Law 97-86, Title 10 United States Code 371-378, although still conservative in nature, permits the use of the Army and Air Force to enforce civilian laws under certain restrictive conditions. The Army and Air Force were authorized to share with local law enforcement officials criminal intelligence that was collected during normal military operations and relevant to a violation of law; to make equipment, base facilities, or research facilities available to civilian law enforcement officials; to provide military personnel to train law enforcement personnel in the operation and maintenance of¹³ equipment; and to provide expert advice.

Even under this 1981 legislation, it is evident that, unless exceptions are granted, the Army and Air Force remained

prohibited from the direct interdiction of a vehicle, vessel or aircraft for law enforcement purposes. Furthermore, they are prohibited from search and seizure, arrest, apprehension, stop¹⁴ and frisk, or other similar activity. The use of military personnel for surveillance or pursuit of individuals suspected of criminal activity is not authorized under the 1981 law.

Nevertheless, exceptions to the foregoing are numerous. In general, the head of a civilian law enforcement agency can request military personnel to operate equipment for the civilian agency, providing there is no direct role in law¹⁵ enforcement activity. Under emergency circumstances, equipment operated by military personnel can be used outside of the land area of the United States as a base of operations by federal law enforcement officials to facilitate the enforcement¹⁶ law. This emergency authority can be invoked only when the size and scope of the suspected criminal activity in a given situation poses a serious threat to the interest of the United¹⁷ States. The major limitation to the latter is that emergency¹⁸ authority is not granted on a routine or extended basis.

This multitude of tangled rules and complex exceptions is confusing at best. But this evidence firmly recognizes the need to employ the military services in the war on drugs, but to do it under tight control.

The 1989 National Defense Authorization Act represents the most recent loosening of constraints on the use of the military services to support civilian law enforcement. It identifies the Department of Defense as the single lead agency of the

federal government for the detection and monitoring of aerial¹⁹
and maritime transit of illegal drugs into the United States.
It abolishes the previously discussed constraints on
surveillance, interception and pursuit. Under the 1989 law,
Department of Defense personnel may exclusively operate²⁰
aircraft and vessels to intercept or pursue drug smugglers.
Once the interception has occurred, the suspected smuggling
craft must be directed to a location designated by law
enforcement officials for the search and seizure of illegal
drugs. Significantly, if the detection process begins outside
of the United States, the pursuit may continue over
territorial seas, internal waters or the land area of the²¹
United States. The previously discussed intelligence sharing
and law enforcement support functions set forth in the 1981 law
continue in effect. In compliance with the Posse Comitatus
Act the direct law enforcement functions of search, seizure and
arrest must continue to be performed by law enforcement
officials.

The Navy and Marine Corps are not legally restricted by
the Posse Comitatus Act, although the Department of Defense²²
considers the Act applicable as a matter of policy. Further,
members of the reserve component not on active duty and
members of the National Guard not in federal service are²³
not legally prohibited from enforcing civilian laws.

The United States Coast Guard has a long-standing proven
ability to interdict the illegal flow of drugs. So the Coast
Guard is the final element of the military equation. The

Coast Guard has been interdicting illegal drugs since the early
24
1970's. It is a military organization offering a unique
25
characteristic: authority to make civil arrest.

The Coast Guard, National Guard and reserve components have the best and clearest legal authority to directly enforce civilian laws. The Department of Defense has the legal authority to deploy the Navy and Marine Corps, but has chosen to constrain them under limitations of the 111 years old Possee Comitatus Act. The active military services are prohibited from performing specific law enforcement functions, but may be employed for the interception and pursuit of drug smugglers.

So since 1981 there has been a significant military force legally authorized to wage the war on drugs. This force has participated to some extent. Reluctance to fully deploy the military services has centered upon concerns of degrading combat readiness. Military preparedness must remain the top priority of the Department of Defense. However, the 1989 relaxation of restrictions on using the military services in the illegal drug war is a necessary step to prepare the nations's armed forces for a more active role in this war.

THE POLICY

The current federal policy established in 1986 has been clear and straightforward with respect to support provided to law enforcement agencies: "It is the Department of Defense policy to cooperate with civilian law enforcement officials to the extent practical. The implementation of this policy shall

be consistent with the needs of national security and military preparedness, the historic tradition of limiting direct military involvement in civilian law enforcement activities and the requirements of applicable law." ²⁶

Clearly the Department of Defense policy anticipates higher military priorities than supporting domestic law enforcement efforts. Few Americans would argue with this position. The 1989 National Defense Authorization Act considerably expands the role of the Department of Defense in the areas of command, control, communications and intelligence in the war on drugs. The interception and pursuit functions discussed in the previous section are in full compliance with existing policy.

THE STRATEGY

The Joint Chiefs of Staff definition of national strategy makes this critical point: " National strategy is the art and science of developing and using the political, economic and psychological powers of a nation, together with its armed forces, during peace and war to secure national objectives." ²⁷

This definition is frequently described as a three-legged stool: objectives (ends), concepts (ways), and resources (means). ²⁸ The national drug strategy is currently set forth by the National Drug Policy Board. It conforms with the Joint Chief of Staff definition of strategy, with a single exception. The drug strategy has not fully taken into account the use of " its armed forces during peace and war to secure national

objectives (means). " This exception results from the previously discussed legal restrictions on the employment of military force in the drug war; it is consistent with the stated federal policy of limiting the use of the military to enforce civilian laws. However, the 1989 National Defense Authorization Act eliminates many previous obstacles. When it is fully implemented it will allow for a major adjustment in the national drug strategy.

The current national drug strategy set forth by the National Drug Policy Board has evolved through the years. It establishes the following goals:

- * Drug-Free Workplaces
- * Drug-Free Schools
- * Expanded Treatment
- * Improved International Cooperation
- * Strengthened Drug Law Enforcement
- * Increased Public Awareness and Prevention

These goals have been translated into specific strategies: three are aimed at supply, two at demand, and two towards the investigation and prosecution of drug trafficking individuals. Brief summaries of these strategies follow:

Intelligence strategy: Integrate and coordinate the specialized intelligence resources of the drug enforcement agencies and the nation's foreign intelligence arm, and protect against duplication of effort.

International strategy: Reduce the supply of illegal

drugs from major drug-producing and trafficking nations, and reduce the amount of illicit narcotics cultivated, processed and consumed worldwide.

Interdiction strategy: Intercept and seize shipments of drugs and deny smugglers freedom of movement regardless of location and mode of transportation.

Education strategy: Educate the next generation of Americans against drug abuse.

Treatment and Rehabilitation strategy: Identify drug users, provide treatment, get the private sector involved and conduct research to find ways to treat those who are unresponsive.

Investigations strategy: Arrest the drug kingpins, seize illegal drugs and the proceeds generated by drug trafficking.

Prosecution strategy: Apply limited federal prosecution resources against the most lucrative drug enterprise targets.

This national drug strategy offers a comprehensive, thoughtful analysis of goals, objectives and concept. But it is critically flawed because it fails to adequately consider the offensive resources required to successfully implement the strategy. The ends and ways is not in balance with a plausible means. Law enforcement agencies do not have sufficient personnel, equipment and training to execute the strategy. This is precisely why strategists are turning to the military services in the war on drugs. The drug problem is too large for the law enforcement agencies alone to solve. The history of our drug problem strongly supports the conclusion that

success depends upon increased offensive resources.

To address this problem, during the summer of 1988 the National Drug Policy Board put forth a series of recommendations--new ideas and initiatives that are consistent with the national goals. These recommendations, which were eventually formulated into legislation, called for increased measures to combat the drug problem. Specific recommendations included making federal student aid contingent upon a college's adopting an effective anti-drug program; withdrawal of federal student aid from those convicted of drug offenses; and improved³⁷ accountability of treatment programs through drug testing.

Private companies receiving federal funds would be required to produce plans for drug-free workplaces consistent with the national goals. The board urged increased efforts in international eradication of illicit drug crops and economic development assistance for cooperating countries, identification of convicted drug traffickers on passports, and³⁸ increased assistance to state and local law enforcement.

Strengthening federal law enforcement was at the heart of the new proposals. A major congressional controversy arose over the board's recommendation for the use of the death penalty in certain federal cases, including those in which defendants were convicted of murder while engaged in a³⁹ continuing drug enterprise, and allowing "good faith" exceptions to the exclusionary rule so evidence seized during⁴⁰ an arrest could be used in criminal cases.

THE 1988 DRUG LEGISLATION

The aforementioned recommendations were generally well received by the 100th Congress. Even though they were furiously debated and significantly modified, they became the basis for new anti-drug legislation. The 1988 Omnibus Anti-Drug Bill impacts on four general areas: increased funding, reorganization of the federal anti-drug effort, user penalties and a new federal death penalty.

The bill authorized \$2.8 billion in added spending, including some in future fiscal years. However, it appropriated only \$500 million for actual new spending in fiscal year 1989. While only about a quarter of federal spending is now devoted to treatment and education, such programs will get 50 percent of the new money appropriated by the bill this year and 60 percent of new spending in future
41
years.

For the first time, federal funds will be used to build treatment facilities. This represents a major shift in strategy. Clearly the federal government is redirecting the way it is spending money to combat drug abuse. During 1989 the \$500 million will be split evenly between drug supply and demand reduction programs. The \$500 million includes \$159 million for expanding federal agency drug programs; \$242 million for treatment, prevention and education; \$42 million for the federal courts and \$25 million for Coast Guard drug
42
interdiction efforts. In this election year, Congress clearly failed to identify the source of the remaining funds.

As a direct result of this new legislation, a reorganization of the federal counter-drug effort is also taking place. Someone will take charge of the national drug policy: the legislation calls for a "drug czar", a cabinet-level official who will advise the president and oversee policy which focuses on drug supply, trafficking, and demand. The Director will have three deputies: one for demand reduction, a second for supply reduction and a third responsible for state and local coordination. Our previous lack of centralized control and direction has often been cited as a contributing cause of the failure to turn the drug war around. The new legislation also calls for elimination of the three existing drug boards: the National Drug Enforcement Policy Board, the White House Office of Drug Abuse Policy Board and the National Narcotics Border Interdiction System.⁴³

The impact of the reorganization cannot yet be determined. However, Senator Joseph R. Biden Jr., who was the principal force in creating the drug czar concept, has stated "For the first time, there will be one person in charge of our national effort to control illegal drugs."⁴⁴

One of the most innovative aspects of the new law is the enactment of user penalties. Denial of federal benefits as originally recommended by the National Drug Policy Board has been left up to the discretion of the courts. The courts may deny first-time offenders federal benefits for one year, require completion of a drug treatment program, or any combination of these penalties.⁴⁵ Drug users apprehended with

small amounts of illegal drugs can receive civil fines of up to \$10,000 or opt for or a jury trial, with its inherent requirements for a stronger burden of proof than a civil⁴⁶ hearing. The user accountability provision is further aimed at⁴⁷ public housing tenants who engage in drug related activities.

Drug traffickers will lose benefits for five years,⁴⁸ again at the discretion of the courts. The law also requires that federal contractors provide drug-free work places-- otherwise they could lose eligibility to conduct business with⁴⁹ the federal government for up to five years. All of the foregoing stringent penalties equate to a zero tolerance policy.

The death penalty provision is aimed at major drug traffickers who intentionally kill as part of their drug related transactions. It specifically covers anyone who intentionally kills or causes the killing of a police officer⁵⁰ during drug trafficking activities. As with all mandatory death penalties, this provision will eventually be tested in the courts.

Congress opted against liberalizing the exclusionary rule, as originally recommended by the National Drug Policy Board, despite the possible presence of "good faith". But this measure could be reconsidered if the above measures are not convincingly effective.

The Federal Law Enforcement Effort

The Federal Bureau of Investigation (FBI) and the Drug

Enforcement Administration (DEA) have joint and concurrent⁵¹ jurisdiction to investigate drug violations. They have implemented a plan grounded on the fundamental premise that cooperation on a national level is crucial to wage a successful war on drugs.

The FBI and DEA joint drug plan is primarily geared towards combating illegal drugs after they have arrived in the United States. Although the plan recognizes the vital need for international cooperation and the DEA works extensively outside of the United States, the central thrust of the federal law enforcement effort is essentially internal. The joint federal drug plan has been in effect for over six years. On occasion, it has led to seizures of large drug shipments at our borders.

The FBI and DEA concentrate their investigative efforts on the major criminal organizations and the kingpins who direct them. One objective is to seize property and equipment that is being criminally used to import illegal drugs. Then these assets are turned over to state and local police agencies for⁵² use in the war on drugs. Assets that cannot be used are sold at federal auctions to the highest bidder; funds are shared with local enforcement agencies. This policy of sharing encourages police departments to cooperate with the federal agencies on the local level. Seizure of assets needed to continue the illegal enterprise is a reasonably effective deterrent.

Additionally, the FBI and DEA have joined with other federal and state agencies to establish a national drug

intelligence base which is aimed at examining trends and
projecting the activities of drug traffickers. Major⁵³
manpower and equipment is concentrated in the largest and
most vulnerable metropolitan areas, such as Miami, Los⁵⁴
Angeles and New York City. Atlanta, Boston, Chicago, Houston,
San Diego and San Francisco are designated as secondary⁵⁵
targets. The federal agencies participate on local task
forces throughout the country to combat major drug
organizations.

However, few believe current tactical interdiction
activities of the FBI and DEA alone will significantly reduce
the illegal flow of drugs across our national borders. While
these agencies play an important law enforcement role, there is
no evidence to indicate a continuation of the current plans and
programs will produce an acceptable solution to an escalating
national drug crisis. The federal law enforcement agencies and
the state and local police have endeavored to solve the drug
problem for decades. It is clear to the most casual observer
that it is beyond the capabilities of these agencies alone to
successfully eliminate or significantly reduce the flow of
illegal drugs from external sources. Again, the reality of the
law enforcement agencies historic inability to solve the drug
problem gives rise to the call for increased active military
intervention. It is the next logical step, but it must be
taken cautiously.

THE MILITARY ROLE

Tactical interdiction of illegal drugs arriving in the United States from source countries can reasonably be articulated into a military mission. The objective of drug interdiction is to reduce the availability of drugs by seizing illegal drug shipments in transit to the United States. Since total interdiction is physically impossible, this strategy cannot yield victory, which would totally stop illegal drugs from entering the United States. Nevertheless, the increased use of the military services will assuredly improve the effectiveness of the current interdiction program, which is largely carried out by the Coast Guard, the Customs Service, DEA, and the Immigration and Naturalization Service (INS). The ends, ways and means come into much better balance when military capabilities are incorporated into the overall national counter-drug effort.

Successful tactical interdiction is dependent upon the capability to detect "targets" crossing or attempting to cross the borders of the United States and identifying which of these targets could be smugglers. These targets must then be intercepted to determine whether or not they are transporting drugs. ⁵⁶ Therefore, the military mission would be to detect, identify and intercept drug carriers. These tasks are well within the capability of the military services.

The Coast Guard has long been charged with the sovereignty of the United States coastline and is the prime

marine interdiction agency on the high seas. The Navy can significantly enhance the security of the oceanic approaches if Coast Guard Law Enforcement Detachments are employed on Navy vessels to perform the law enforcement tasks, including the search for and seizure of illegal drugs. The four major choke points in the Caribbean Sea are ideal locations to deploy Navy resources. Navy participation is essential to increase the capability of the seapower forces to detect, identify and intercept smuggling boats. So the Navy must become a more aggressive partner and recognize the need to make the necessary strategic adjustments required to take on a new kind of national security mission.

Interdicting air transportation of illegal drugs poses a greater challenge. The Customs Service has been the agency with primary responsibility for the interdiction of drugs
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smuggled by air. This agency is particularly under-equipped for this type of mission; they have very few aircraft and limited radar detection capabilities. But the Air Force's responsibility for protection of American airspace inherently includes protecting against all threats to national security, including criminal importation of illegal drugs. Its mission of strategic defense entails deterring the enemy from entering the United States. Customs Service aerial interdiction programs should be fully integrated with the Air Force North American Air Defense (NORAD) command and control structure in a manner which will permit the continental air defense

organization to fully discharge its responsibilities. The Air Force has sufficient operational capability to detect, identify and intercept drug-carrying aircraft. The Air Force and Customs Service need to cooperate by sharing personnel and equipment. Perhaps a military officer should be appointed to head the Customs Service, thereby bridging the gap between the civilian and military approach to tactical interdiction. This will go a long ways towards improving reported coordination problems.

Smuggling drugs across the United States - Mexican land border presents the lowest risk of interdiction to traffickers. Customs and INS have primary responsibility for this critically important border. In the last two years the INS has taken the lead from Customs; many INS agents have been given a cross-designation as Customs agents, which permits them to search vehicles and persons solely on suspicion of drugs.

The National Guard is ideally suited for deployment on the southwest border of the United States. It should be totally integrated into the Customs and INS operations. The 1989 Defense Authorization Act expanded the mission of the National Guard to support drug enforcement operations. The National Guard is authorized to detect and monitor illegal drug movement, to transport confiscated goods and law enforcement personnel. Also, the National Guard can identify and maintain surveillance of marijuana fields, which can help us eliminate the cultivation of marijuana in the United States. The National Guard must be fully integrated with local, state

and federal law enforcement agencies. No military organization is better prepared to reinforce the civilian law enforcement agencies, thereby increasing the risk factor for those that illegally smuggle and cultivate drugs.

The Navy, Air Force, Coast Guard and National Guard should take the lead in combating the illegal importation of drugs. The Army should be ready to provide support and assistance in a secondary role. The Department of Defense is clearly obligated to safeguard the internal security of the United States. But the military role must be consistent with national security responsibilities and compatible with training and readiness standards.

Active military intervention in the war on drugs, supported by the Congress and strong public opinion, provides a critical instrument of power capable of making a significant contribution in successfully bringing the drug problem under control.

The reserve components are located in over three thousand communities across the United States. They offer a strong potential to contribute to the development of national will in support of eliminating or reducing the use of illegal drugs. This potential must to be fully exploited. Through such expanded means of waging the war on drugs, the beliefs, attitudes and fundamental values of a majority of American people will ultimately prevail.

The Requirements For Victory

The military services can make a significant contribution in the drug war. But their role will necessarily be limited to winning intermediate skirmishes. Final victory in the war on illegal drugs and defeat of those who criminally import them into the United States must ultimately come through education. Effective education is the critical center of gravity in this low-intensity conflict driven by greed. Military intervention is basically a holding action. It can be implemented now while the next generation of Americans are being educated to develop attitudes and character necessary to eliminate the demand for illegal drugs. The military can make it miserable for international drug dealers to continue to do business, while the educational system simultaneously begins to produce results by decreasing demand.

Compelling evidence indicates the United States can win the war on illegal drugs. The essential requirements for victory are in place: a strong national will, a flexible military force, a determined Congress, and a dedicated system of education.

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